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PTO/SB/05 (03-01)

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UTILITY PATENT APPLICATION TRANSMITTAL <i>(Only for new nonprovisional applications under 37 CFR 1.53(b))</i>	Attorney Docket No.	4821-519-999	Total Pages	62
	First Named Inventor or Application Identifier			
	Thomas JERUSSI			
	Express Mail Label No.	N/A		

APPLICATION ELEMENTS <i>See MPEP chapters 600 concerning utility patent application contents.</i>	Commissioner for Patents P.O. Box 1450 Mail Stop PATENT APPLICATION Alexandria, VA 22313-1450
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1. ☒ Fee Transmittal Form
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 60]
(preferred arrangement set forth below, MPEP 1503.01)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description of the Invention (including drawings, if filed)
 - Claim(s)
 - Abstract of the Disclosure
4. ☐ Drawing(s) (35 USC 113) [Total Sheets]
5. ☒ Oath or Declaration [Total Sheets 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statement verifying identity of above copies

17497 U.S. PTO
 10/665448
 09/22/03

ACCOMPANYING APPLICATION PARTS	
9. <input type="checkbox"/>	Assignment Papers (cover sheet & document(s))
10. <input type="checkbox"/>	37 CFR 3.73(b) Statement (when there is an assignee) <input checked="" type="checkbox"/> Power of Attorney
11. <input type="checkbox"/>	English Translation Document (if applicable)
12. <input checked="" type="checkbox"/>	Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations
13. <input checked="" type="checkbox"/>	Preliminary Amendment
14. <input checked="" type="checkbox"/>	Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. <input type="checkbox"/>	Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. <input type="checkbox"/>	Nonpublication Request under 35 U.S.C. 122 (b)(2)(i). Applicant must attach form PTO/SB/35 or it's equivalent
17. <input type="checkbox"/>	Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☒ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: 10/278,097 filed October 23, 2002, which is a division of U.S. Application No. 09/770,663, filed January 29, 2001, which is a continuation-in-part of U.S. Application No. 09/662,135, filed September 14, 2000, which is a continuation-in-part of U.S. Application No. 09/372,158, filed August 11, 1999..

Prior application information: 10/278,097 Examiner: P. Spivack

Group Art Unit: 1614

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number 20582 or ☐ Correspondence address below

NAME	Pennie & Edmonds LLP		
ADDRESS	1667 K Street, N.W.		
CITY	Washington	STATE	D.C.
COUNTRY	U.S.A.	ZIP CODE	20006
TELEPHONE	(202) 496-4400		FAX

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Prior application: Examiner To be assigned

Art Unit 1614

Commissioner for Patents
P.O. Box 1450
Mail Stop PATENT APPLICATION
Alexandria, VA 22313-1450

Sir:

This is a request for filing a ☐ continuation ☒ divisional application under 37 CFR § 1.53(b), of pending prior application no. 10/278,097, filed October 23, 2002, which is a division of application no. 09/770,663, filed January 29, 2001, which is a continuation-in-part of application no. 09/662,135, filed September 14, 2000, which is a continuation-in-part of application no. 09/372,158, filed August 11, 1999.

of Thomas JERUSSI et al.

(inventor(s) currently of record in prior application)

for METHODS OF TREATING OR PREVENTING RESTLESS LEG SYNDROME USING SIBUTRAMINE
METABOLITES (As amended)

(title of invention)

1. ☒ The filing fee, after the entry of Preliminary Amendment submitted herewith, is calculated below:

PATENT APPLICATION FEE VALUE


TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	9	- 20	0	\$18.00 each	\$ 0.00
Independent	1	- 3	0	\$84.00 each	\$ 0.00
Minimum Fee					\$ 750.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
Total					\$ 750.00
Applicant qualifies for the 50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					\$ 0.00
Total Filing Fee					\$ 750.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ A Preliminary Amendment is submitted concurrently herewith.
- 4a. ☐ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.

- 5a. ☐ Priority of application no. filed on in is claimed under 35 U.S.C. §119.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☐ The prior application is assigned of record to .
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/770,663, filed January 29, 2001 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☐ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no., filed on be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. is enclosed.
9. ☐ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. is the same as the content of the computer readable form submitted in application no. .
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ A copy of Declaration filed in the prior application no. 09/770,663, filed January 29, 2001, is enclosed.

Date September 22, 2003

Respectfully submitted,



Max Bachrach
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45,479

(Reg. No.)

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